

**UNITED STATES DISTRICT COURT
DISTRICT OF SOUTH CAROLINA**

Larry Pitts,

Plaintiff,

v.

Jo Anne B. Barnhart,
Commissioner of Social
Security,

Defendant.

C.A. No. 4:05-891-SB

ORDER

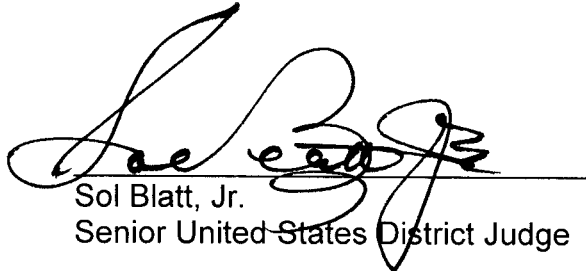
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This matter is before the court on the Magistrate Judge's recommendation that the decision of the Commissioner of the Social Security Administration be reversed pursuant to sentence four of 42 U.S.C. § 405(g) and remanded to the Commissioner for further administrative action. The record includes a report and recommendation of the United States Magistrate Judge made in accordance with this Court's Order of Reference and 28 U.S.C. § 636(b)(1)(B).

This Court is charged with conducting a de novo review of any portion of the Magistrate Judge's report to which a specific objection is registered, and this Court may accept, reject, or modify, in whole or in part, the recommendations contained in that report. 28 U.S.C. § 636(b)(1). However, absent prompt objection by a dissatisfied party, it appears that Congress did not intend for the district court to review the factual and legal conclusions of the Magistrate Judge. Thomas v. Arn, 474 U.S. 140 (1985). Additionally, any party who fails to file timely, written objections to the Magistrate Judge's report pursuant to 28 U.S.C. § 636(b)(1) waives the right to raise those objections at the appellate court level. United States v. Schronce, 727 F.2d 91 (4th Cir. 1984). No objections have been filed to the Magistrate Judge's report.

A review of the record indicates that the Magistrate Judge's report accurately summarizes this case and the applicable law. Accordingly, the court adopts the Magistrate Judge's report and incorporates the report into this Order. Thus, for the reasons articulated by the Magistrate Judge, it is **ORDERED** that the decision of the Commissioner is **REVERSED under sentence four of 42 U.S.C. § 405(g)** and **REMANDED** for further administrative action.

AND IT IS SO ORDERED.



Sol Blatt, Jr.
Senior United States District Judge

Charleston, South Carolina
September 12, 2006

